

Application No.: 10/730,097  
Art Unit: 2625

Response  
Attorney Docket No.: 032095

**REMARKS**

Claims 1-15 are pending in the application. Applicants respectfully request reconsideration of this application in view of the following remarks. It is respectfully submitted that this paper is fully responsive to the Office Action dated March 19, 2008.

**As to the Merits:**

As to the merits of this case, the Examiner sets forth the following rejections:

claims 1 and 5 stand rejected under 35 U.S.C. §102(e) as being anticipated by Nakata (PG Pub. No. 20040030684);

claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakata (PG Pub. No. 20040030684);

claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Nakata (PG Pub. No. 20040030684), in view of Oteki et al. (U.S. PG Pub No. 20010019429);

claims 6-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nakata (PG Pub. No. 20040030684), in view of Uchikawa (U.S. Patent No. 6,499,068); and

claims 12-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nakata (PG Pub. No. 20040030684), in view of Tanimoto (U.S. PG Pub. No. 20020131089).

Each of these rejections is respectfully traversed.

It is respectfully submitted that the rejections of claims 1 -15 are improper since Nakata (PG Pub. No. 20040030684) fails to qualify as prior art under 35 USC §§102 and 103(a).

More specifically, Nakata's filing date of June 2, 2003 falls after the November 12, 2002 priority date of the present application. Moreover, in order to perfect the filing date of the present application and thereby establish at least the foreign priority date of November 12, 2002 as the effective filing date for the present application, Applicants enclose herewith verified English language translations of the Japanese priority documents 2002-359892, 2002-359891 and 2002-359890. Accordingly, withdrawal of the rejection of claims 1-15 based on Nakata is respectfully requested.

In view of the aforementioned remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

Application No.: 10/730,097  
Art Unit: 2625

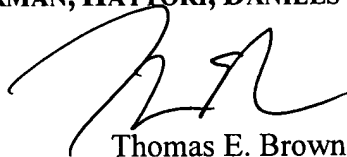
Response  
Attorney Docket No.: 032095

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Thomas E. Brown  
Attorney for Applicants  
Registration No. 44,450  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

TEB/nrp

Enclosures: Verified English language translations of 2002-359892, 2002-359891  
and 2002-359890

## STATEMENT OF VERIFICATION

I, Eri UNEO, of c/o Murata Machinery Ltd., 136 Takeda Mukaishiro-cho, Fushimi-ku, Kyoto-shi, Kyoto 612-8686 Japan, hereby declare that I am well acquainted with the Japanese and English languages, and that I am the translator of the documents attached, and certify that the following is a true English translation to the best of my knowledge and belief.

Dated this 23 day of April 2008

Eri Uno

[Identification Number] 000006297

[Name] Murata Kikai Kabushiki Kaisha  
[Representative] Junichi MURATA  
[Attorney]  
[Identification Number] 100078868  
[Patent Attorney]  
[Name] Takao KOHNO  
[Telephone Number] 06(6944)4141  
[Appointed Associated Attorney]  
[Identification Number] 100114557  
[Patent Attorney]  
[Name] Hideto KOHNO  
[Telephone Number] 06(6944)4141  
[Indication of Fee]  
[Register Number of Prepayment] 001889  
[Amount of Fee] 21,000 yen  
[List of Filing Documents]  
[Name of Document] Specification 1  
[Name of Document] Drawing 1  
[Name of Document] Abstract 1  
[General Power of Attorney No.] 9805283  
[Necessity of Proof] Necessary